

RULES OF ORDER – 146AC-R02

146th ANNUAL CONVENTION - DIOCESE OF NEWARK

REPORT OF THE COMMITTEE ON RULES OF ORDER AND ELECTIONS

The Committee on Rules of Order and Elections “met” throughout December by electronic mail to consider proposed changes to the Rules of Order. The Committee reviewed the Rules of Order as amended and adopted by the 145th Convention.

The Committee’s discussions focused on the Rules regarding three issues: 1) having the rules conform to our new practice of electronic voting; 2) requirements concerning the Call to Convention and pre-convention mailings; and 3) reporting by the Nominations Committee to the Committee. After extensive consideration, the Committee decided that no action could be taken with regard to the Rules governing Call to Convention and those governing the Nominations Committee until the work of the Committee on Constitution and Canons concerning these issues was complete.

Accordingly, the Committee on Rules of Order and Elections recommends that NO revisions be made this year to the Rules of Order, and that the Rules of Order adopted for the 145th Convention be adopted for the 146th Diocesan Convention.

Respectfully Submitted,

The Members of the Committee on the Rules of Order and Elections

L. Allison Garde, Esq., Grace Church, Madison, Chair

John Webb, III, Esq., Episcopal Church of St. Luke & St. Mary, Hope/Belvidere

Rev. Dean Weber, All Saints, Leonia

Rev. Mary Davis, St. Paul’s, Chatham

Mr. John A. King, Secretary of Convention (Ex-Officio)

Diane Sammons, Esq. Diocesan Chancellor (Ex- Officio)

RULES OF ORDER – 146AC-R02

RULES OF ORDER
ONE HUNDRED AND FORTY SIXTH CONVENTION
January 31 & February 1, 2020

Convention Committees

I. The following Convention committees, consisting of clergy and laity, shall be appointed by the President at least 125 days prior to the Annual Convention:

- A. Arrangements
- B. Rules of Order and Elections
- C. Resolutions

II. The President, and Secretary of the Convention shall be members, ex-officio, of all Convention Committees.

III. The Convention Committees shall be empowered to take appropriate action prior to, and during, the next Annual Convention, as well as any Special Convention held during their year of appointment.

Arrangements

IV. The Committee on Arrangements shall be responsible for receiving post-Convention recommendations, and from such recommendations to make referrals in the following areas:

- A. To the Ecclesiastical Authority: recommendations pertaining to location, date and length of sessions and recommendations pertaining to the agenda and calendar of business.
- B. To the Committee on Rules of Order and Elections: recommendations pertaining to the legislative and election procedures.
- C. To the Nominations Committee: recommendations pertaining to nominations.
- D. To the Committee on Resolutions: recommendations pertaining to the Resolution process.

The Committee shall recommend to the Diocesan Council the procedures and arrangements for the pre-Convention meetings of Deputies, and shall be responsible for all physical arrangements of the Convention.

Rules of Order

V. The Committee on Rules of Order and Elections shall be responsible for the Rules of Order.

Nominations and Elections

VI. The nomination and election procedures at the Annual Convention shall be as follows:

A. By April 30th a Nominations Committee of clergy and lay members from different congregations shall be elected by the districts consisting of:

- one member of the clergy from each district
- one lay person from each district

Committee members will serve for two years with clergy and lay members rotating off in alternate years. Odd numbered districts will elect a lay person whose term ends in an even year; a clergy person whose term ends in an odd year. Even numbered districts will elect a lay person whose term ends in an odd year; a clergy person whose term ends in an even year.

In the event any district fails to provide its representatives, on May 1st the Bishop will make the appointments to fill vacancies from within the district.

B. The Nominations Committee shall meet at least one-hundred and ten (110) days prior to Annual Convention to elect its own chair, not to be the Secretary of Convention, and to set up procedures for evaluating and nominating candidates. The committee will nominate when possible at least one more than the number of vacancies in each category with the exceptions of Secretary of Convention, Assistant Treasurer, Treasurer and Disciplinary Board.

C. The Secretary of Convention shall send out in the Call to Convention the time and place of the Convention, a list and job descriptions of the offices by classes to be filled by election, the names of the incumbents of these offices, and an official nomination form. This Call shall be sent out, including by electronic delivery, at least one hundred (100) days before the date of the Convention to each clerical member of the Convention and to each lay deputation whose certificate has been transmitted to the Secretary, as provided in Canon I. The Call shall be published in *The Voice OnLine*.

D. Nomination of Candidates

1. There will be a notice in the June *Voice Online* asking for recommendations to be sent to the Nominations Committee no later than fifty-five (55) days prior to Annual Convention. Recommendations may be made in the following ways:

- (a.) Any person eligible to run may recommend himself or herself.
- (b.) Any person in the Diocese may recommend someone else who is eligible to run.
- (c.) Members of the Nominations Committee are strongly encouraged to present names of possible candidates from their own districts particularly, as well as suggestions from other areas of the Diocese.

The Nominations Committee will evaluate recommendations and present a report to the Secretary of Convention and Committee on Rules of Order and Elections fifty-five

RULES OF ORDER – 146AC-R02

1 (55) days prior to Convention. Any nominees not accepted by the Nominations
2 Committee shall be informed in writing or by electronic means fifty-five (55) days
3 prior to Convention. Nominees not accepted by the Nominations Committee may be
4 nominated as set forth in Paragraph D.2 below.
5

6 2. In addition to the slate presented by the Nominations Committee, a person may
7 be nominated by any five (5) Deputies to the Convention. Such nomination shall be
8 sent in writing or by electronic means to the Secretary of Convention. Nominations
9 made in this manner will continue to be accepted until noon on the day that is seven
10 days prior to the start of the Annual Convention. In addition to the nominations made
11 by the Nominations Committee, nominations made in accordance with this
12 Paragraph D.2 that are received by the Secretary not later than forty-two (42) days
13 prior to Annual Convention will be included in the pre-convention mailing and
14 publicized in the *Voice OnLine*. Nominations received in accordance with this
15 Paragraph D.2 after that date will be announced prior to the commencement of
16 balloting at Convention.
17
18

19 E. The Nominations Committee shall report the names of nominees to the Annual
20 Convention in the form of an official ballot, with the nominees listed by office. The order in
21 which the names of nominees for an office appear on the ballot shall be determined as
22 follows: 1) the names of candidates who are nominated by the Nominations Committee or by
23 Convention Deputies and whose nominations are received at least forty-two (42) days prior
24 to Convention shall be determined by lot, by Order; and 2) the names of candidates received
25 through late nominations made less than forty-two (42) days prior to the start of Convention
26 shall be added in order of receipt. For those contests in which candidates will be elected to
27 terms of various lengths, candidates will be listed on the ballot as set forth in these Rules;
28 the length of term to be served by elected candidates will be determined as set forth in
29 Paragraph G of this Section.
30

31 F. Only official ballots may be used in elections, except when otherwise ordered by the
32 Convention. The number of vacancies to be filled shall be included on each ballot. Only
33 valid ballots shall be counted in the whole number of votes cast. An invalid ballot as to one
34 election shall not invalidate an otherwise valid ballot in any other election.
35

36 G. For all elections the vote shall be by ballot, each deputy having one vote for each
37 vacancy to be filled. Those candidates receiving a majority of the valid ballots cast shall be
38 elected. If no candidate receives a majority of the valid ballots cast, subsequent ballots shall
39 be taken until elected candidates shall have filled all vacant positions. When several terms
40 are to be filled, the candidate receiving the highest number of votes will fill the term of the
41 longest duration and the other candidates will fill terms in descending order based on the
42 number of votes received. For General Convention Deputies only, election requires a
43 concurrent majority in both Orders. All candidates who were not elected as General
44 Convention Deputies shall be eligible for consideration as alternate Deputies. An election of
45 alternate Deputies to General Convention shall be by simple majority of valid ballots cast.
46

47 H. For all elections beginning with the third ballot, and for all succeeding ballots, the
48 name of the candidate (or candidates) with the lowest number of total votes cast on the
49 previous ballot will be withdrawn from consideration, such that the number of candidates
50 remaining shall be equal to the number of vacancies plus two. (For example, if on the third
51 ballot, seven candidates are standing for election and there are three vacancies to be filled,
52 then the names of the two candidates with the lowest number of votes on the second ballot
53 will be withdrawn from consideration by the Convention, leaving five candidates remaining

RULES OF ORDER – 146AC-R02

1 for consideration on the third ballot.)

2 Resolutions

3
4 VII. The Committee on Resolutions shall be responsible for receiving all Resolutions except
5 those provided by standing committees and bodies required to report to this Convention.
6

7 Resolutions to be considered by this Convention may be only one of three types: (1) those
8 submitted by Standing Committees and bodies required to report to Convention; (2)
9 Resolutions concerning the budget of the Diocese; and (3) all other Resolutions. The
10 Committee on Resolutions shall be responsible for receiving all Resolutions of the third type;
11 the Diocesan Council Budget & Finance Committee shall be responsible for receiving all
12 Resolutions of the second type. (Rules governing all budgetary Resolutions are set forth in
13 XVI below.)

14 A. Except for Resolutions submitted by Standing Committees and bodies required to
15 report to Convention, only Deputies may submit Resolutions to be considered by this
16 Convention.

17
18 B. All Resolutions to be considered for action by the Annual Convention shall be
19 submitted to the Secretary of Convention in writing and signed by a Deputy not less than
20 seventy-five (75) days before the date of the Annual Convention. Resolutions shall be
21 double-spaced and typed or in electronic format. Each should contain two sections: 1) the
22 RESOLVED naming the desired action, and a further RESOLVED, as appropriate, providing
23 for the implementation of the Resolution, if adopted; and 2) a brief statement or information
24 in support of the Resolution. Resolutions submitted by more than one Deputy must designate
25 one deputy as capable of agreeing to any amendments by the Committee or offered on the
26 floor of Convention. After the expiration of the seventy-five (75) day deadline, the Secretary
27 shall transmit to the Committee on Resolutions all Resolutions that are not 1) submitted by
28 Standing Committees, 2) submitted by bodies required to report to this Convention and 3)
29 Resolutions concerning the budget of this Diocese.
30

31 C. The Committee on Resolutions shall hold hearing(s) prior to the Annual Convention
32 on all Resolutions submitted timely. The Committee on Resolutions shall publicize at least
33 eighty-five (85) days prior to the Annual Convention dates, place and time of its hearings,
34 inviting submitters of all Resolutions to attend. The Committee shall collate all Resolutions
35 dealing with obviously similar subjects and shall discuss such collation with the submitters.
36

37 D. Upon submission of any Resolution that in the Secretary's opinion after consultation
38 with the Chair of the Resolutions Committee may affect insurance, s/he shall submit a copy
39 to the Chair of the Diocesan Insurance Committee for review and comment. Upon
40 submission of any Resolution that in the Secretary's opinion after consultation with the chair
41 of the Resolutions Committee may have canonical or legal implications, s/he shall submit a
42 copy to the Chancellor for review and comment. Such comments shall be submitted to the
43 chair of the Committee on Resolutions prior to the initial meeting of the Committee. All
44 Resolutions concerning the budget of the Diocese shall be referred to the Budget & Finance
45 Committee of the Diocesan Council.

46 E. The Committee on Resolutions shall have the power to revise or modify any
47 proposed Resolution, and shall have the power, by a two-thirds vote of all committee
48 members present and voting, to determine not to offer any proposed Resolution on the floor

RULES OF ORDER – 146AC-R02

1 of Convention.
2

3 F. The Committee on Resolutions shall submit its report to the Secretary sixty (60) days
4 before the date of Convention with its recommendations for action upon each Resolution as
5 proposed or as amended or collated by the Committee. This report shall be **distributed** by
6 the Secretary to each deputation prior to pre-convention meetings. All Resolutions
7 considered by the Committee will be included in the report, unless withdrawn by consent of
8 the sponsoring deputy. If a Resolution to be offered to Convention has been amended by
9 the Committee without the consent of the sponsoring deputy, such amendment(s) will be
10 clearly shown.
11

12 G. Any Resolution that the Committee on Resolutions determines not to offer on the
13 floor of Convention shall be permitted on the floor of Convention only by a majority vote of all
14 Convention deputies at the start of the first business session of **Convention**.
15

16 H. Where exigent circumstances exist, and a Resolution was not submitted to the
17 Committee on Resolutions in accordance with the above Rules, a Resolution will be
18 permitted from the floor upon a two-thirds vote only at the start of the first business session
19 of Convention and only when it carries a clear statement in writing of the circumstances that
20 led to the request for its consideration. Such Resolutions should be duplicated in advance
21 by the presenter(s) with sufficient copies available for distribution to all convention Deputies
22 (550 copies are needed). Mere failure to meet the deadlines set forth in these Rules is not an
23 exigent circumstance.
24

25 I. Consent Calendar. It is recognized that certain Resolutions may not require full
26 debate prior to action by Convention. Accordingly, the Committee on Resolutions may
27 propose that certain Resolutions be included on a "Consent Calendar". Exclusion of any
28 Resolution on the Consent Calendar requires agreement of any three congregations to
29 remove it, and the Secretary of Convention must receive exclusion requests before the start
30 of the first business session in writing, signed by at least two lay Deputies from each of three
31 congregations and at least three clergy listed on the roll of clergy entitled to vote in the
32 Convention. Any Resolution included on the "Consent Calendar" shall not be subject to
33 amendment or debate, except that the sponsoring deputy or his/her designee may speak to
34 the Resolution for a period not to exceed one minute.
35

36 Computing Time 37

38 VIII. A. In computing any period of time fixed by these Rules, the day of the act or event from or
39 to which the designated period begins to run is not to be included. The beginning (or ending,
40 as the case may be) day of the period so computed is to be included, unless it is a Saturday,
41 Sunday or legal holiday, in which event the period will be increased so as to include previous (or
42 next, as the case may be) day which is neither a Saturday, Sunday nor legal holiday. For
43 example, if the Rules provide that a deadline is "thirteen (13) days prior to the Annual
44 Convention," the first day of Convention is not counted. If the thirteenth day is a Saturday, then
45 the end of the previous day (Friday, which is actually the 14th day before the first day of the
46 Annual Convention), will be the specified deadline date. Or, if the Rules provide that a deadline
47 is "fifty (50) days after the Annual Convention," then the last -day of Convention is not counted,
48 the fiftieth day is the deadline. If that fiftieth day is a legal holiday, then the next day (that is not
49 a Saturday, Sunday or legal holiday) will be the specified deadline date.
50

51 B. Should extraordinary circumstances arise, the Committee on Rules of Order and
52 Elections may, in its sole discretion, temporarily revise scheduling deadlines set forth in these

RULES OF ORDER – 146AC-R02

1 Rules, such revised scheduling deadlines to remain in force only until the next Annual
2 Convention.

To Certify Minutes

3
4
5
6 IX. At the close of Convention a Committee shall be appointed to review and certify the
7 correctness of the minutes.

On Decorum and Debate

8
9
10
11 X. Except when in conflict with the Constitution or Canons or any Rule herein contained, the
12 latest edition of "Robert's Rules of Order" shall govern the interpretation of these rules and
13 procedures to follow. A required majority of the Deputies voting individually shall determine all
14 measures, unless the chair rules, consistent with the requirements of the Constitution (Article 2,
15 section 7), that the vote on the question shall be by Orders. If a vote is by Orders then a concurrent
16 majority in both Orders shall be necessary to carry any measure.

17
18
19 Constitution – Article II, Section 7:

20 “On the demand of five (5) **Clergy** entitled to vote, or of five (5) Lay Deputies each from a
21 different Parish, Aided Parish, Incorporated Mission, or Mission, the vote upon any question
22 shall be by orders, each Clerical and each Lay Deputy voting individually; and, when a vote
23 is thus taken, a concurrent majority in both orders shall be necessary to carry any measure.”
24 (Constitution Article II, Section 7)

25
26 XI. No motion shall be considered as before Convention unless seconded, and, when required
27 by the President, reduced to writing and signed by the mover, whose name shall be entered on the
28 journal. Each proposed amendment to a Resolution made during floor debate must be submitted in
29 writing (on paper or by electronic device) to the Secretary of Convention immediately after
30 being moved, so that it can be projected onto the screen for floor consideration.

31
32 XII. Any member about to speak shall, with due respect address the President, and in speaking
33 confine comments to the point in debate.

34
35 XIII. No member shall speak more than once and for no more than two minutes in the same
36 debate without leave of the Convention (except the mover who is entitled to reply).

37
38 XIV. If any member by speech or action transgresses the rules of the Convention, the President
39 shall call the member to Order, and the member shall immediately take his/her seat, unless
40 permitted by the Convention to explain or proceed in order.

41
42 XV. The motions below have priority in order listed.

43
44 The mover - cannot interrupt a member who has the floor,
45 - must be recognized, and
46 - the motion must be seconded.

- 47
48 A. To Adjourn or to Recess
49 - not debatable - majority vote
50 B. To Lay on Table or to Table
51 - not debatable - majority vote
52 C. To move the Previous Question or Limit or Extend Debate

RULES OF ORDER – 146AC-R02

- 1 - not debatable - amendable as to time if specified, two-thirds vote
2 D. To Postpone to a Certain Time
3 - debatable - amendable - majority vote
4 E. To Commit or Recommit to any Committee
5 - debatable - amendable - majority vote
6 F. To Amend or to Substitute
7 - debatable - amendable - majority vote
8 G. To Postpone Indefinitely
9 - debatable - not amendable - majority vote
10 H. To Suspend the Rules or Take Up Business Out of Order
11 - not debatable - two-thirds vote
12 I. To Divide the Question
13 - not debatable - majority vote
14 J. To Reconsider (must be made on day that the vote is taken)
15 - 1. must be moved and seconded by ones who voted in majority;
16 - 2. debatable - two-thirds vote
17

On the Budget

18
19
20 XVI. The following procedures shall govern the presentation and adoption of the budget:

21
22 A. A recommended budget shall be adopted by the Diocesan Council. Every effort shall
23 be made to encourage interested individuals and/or groups to submit funding requests to
24 Council, and for Council to give such individuals and groups the opportunity to present
25 information in support of such funding requests. On or before the date which is one week
26 after the date that Diocesan Council adopts its recommended budget it shall publish the
27 recommended budget. (Posting of the recommended budget on the Diocesan website shall
28 be sufficient publication.) In addition, on or before such date, the individuals or groups who
29 submitted funding requests shall be notified by Council of its decision with regard to their
30 requests.

31 B. Copies of the recommended budget shall be distributed to Deputies prior to Annual
32 Convention, in sufficient time to be available for discussion at pre-convention meeting(s).
33 The last preconvention meeting shall be held no later than one week prior to the deadline
34 for budget Resolutions.

35 C. Once the recommended budget has been adopted by Council, Resolutions proposing
36 changes to the recommended budget shall be in order. Only Deputies may submit
37 Resolutions proposing changes to the recommended budget. Such Resolutions shall be
38 sent to the Secretary of Convention, in the format prescribed by paragraph B of Section VII
39 of these Rules, on or before noon of the day that is seven days prior to the start of the
40 Annual Convention. Because the budget must be in balance, the total of all changes in a
41 Resolution must have a nil impact on the recommended budget. Consequently, the
42 "Resolved" of each Resolution may be only one of the following:

- 43 1) to add one line item and delete another line item(s) in an offsetting amount;
44 2) to delete one line item and add another line item(s) in an offsetting amount;
45 3) to increase one line item and decrease another line item(s) in an offsetting
46 amount;

RULES OF ORDER – 146AC-R02

1 4) to decrease one line item and increase another line items(s) in an offsetting
2 amount.

3 Any proposed change to a line item that has the effect of increasing an expense or
4 reducing income must also include a proposal to change other line item(s) that will, when
5 taken together, fully offset the proposed increase in expense or decrease in income.

6 The Secretary shall refer all such Resolutions to the Diocesan Budget & Finance
7 Committee.

8 D. No Resolutions concerning the recommended budget shall be in order if received by the
9 Secretary of Convention after the deadline set forth in Paragraph C of this Section. No
10 Resolutions concerning the recommended budget shall be in order at Convention.

11 E. The Diocesan Council Budget & Finance Committee shall review all such Resolutions
12 and hold an open hearing at Annual Convention on these proposed changes to the
13 recommended budget. Any deputy wishing to do so may speak for or against any such
14 Resolution at the hearing. Upon the conclusion of the hearing, the Budget & Finance
15 Committee shall go into executive session to consider the proposed Resolutions, and may,
16 at its discretion, consult expert witnesses during such executive session.

17 F. The Diocesan Council Budget & Finance Committee shall present its final proposed
18 budget to the Annual Convention. Such proposed budget shall reflect its recommendations
19 on each budget Resolution submitted to the Budget & Finance Committee. The final budget
20 must not be in deficit. The Budget & Finance Committee shall present its reasons for
21 including or excluding any recommended proposal for doing so in its final report to
22 Convention.

23 G. The Convention will vote on every Resolution that was properly submitted. No motions
24 to amend such Resolutions shall be in order. Each Resolution shall be considered
25 individually.

26 H. Once all Resolutions have been considered, a motion to approve the final budget, as
27 amended by adopted Resolutions, if any, shall be in order.

28 I. The following rules shall be used during debate of the Budget and Budget Resolutions:
29

30 (1) The Diocesan Council Budget & Finance Committee shall have FIVE MINUTES to
31 speak with respect to the Committee's report on the Budget.

32 (2) Up to ONE HOUR shall be allotted to the debate, the time being equally divided
33 among Resolutions to be considered. If fewer than five (5) Resolutions are to be
34 considered, the Chair shall have non-debatable discretion to shorten the total time of debate
35 to a total number of minutes equal to no more than ten (10) minutes times the number of
36 Resolutions to be considered.

37 (3) Of the time allotted to the consideration of each Resolution, the recommendation of
38 the Diocesan Council Budget & Finance Committee concerning the Resolution shall be
39 limited to ONE MINUTE.

40 (4) To the extent possible, the Chair shall recognize speakers of opposite view in
41 alternate succession.

RULES OF ORDER – 146AC-R02

1 (5) During the debate on each Resolution each speaker shall be limited to one minute
2 and no speaker shall speak more than once. The Chair may permit the Diocesan Council
3 Budget & Finance Committee to respond briefly to views opposing the Committee's
4 recommendations after all other speakers have been heard on the Resolution.

5 (6) No motion to lay on the table (or other motion that has the effect of terminating
6 debate on a Resolution) shall be in order during the allotted time period.

7 (7) After the consideration of all Resolutions and the termination of debate, TEN
8 MINUTES shall be allotted for the budget Resolutions as finally perfected by the Convention
9 to be considered and adopted as a unit.

Committee of the Whole

10
11
12
13 XVII. On motion duly moved and adopted, the Convention may go into Committee of the Whole for
14 the consideration of any matter. The President shall designate some member of the Convention to
15 act as Chair of the Committee, which, when in session, shall be governed by these rules.

16
17 A. A motion to rise and to report to the Convention, with or without leave to sit again,
18 may be made at any time, and shall take precedence of all other motions, and shall be
19 decided without further debate. No such motion once made shall be renewed until further
20 proceeding shall have taken place in the Committee.

21
22 B. A motion that a vote be taken at some designated time may be made and be
23 disposed of without debate at any time, but as before provided a motion to report to the
24 Convention shall take precedence.

25
26 C. No motion to lay on the table shall be entertained.

Reports

27
28
29
30 XVIII. No printed matter of any kind shall be distributed at the Convention or placed on the seats
31 except by the authority of the President or Secretary.

32
33 XIX. All reports to Convention, and where appropriate, a synopsis of the report, shall be submitted
34 in writing (including by electronic means) to the Secretary of Convention forty-five (45) days prior to
35 the first day of Convention and when submitted shall become the property of the Diocese. Each
36 report (and its synopsis, where appropriate) shall be distributed to all deputies prior to Convention.
37 All reports recommending Convention action shall be accompanied by a Resolution or Resolutions
38 to that effect. No motion is required for the Convention to consider the recommendations of a report.
39 Reports to Convention that do not recommend Convention action shall be accepted by the President
40 of Convention and shall be incorporated by the Secretary of Convention in the minutes of
41 Convention, but need not be read aloud during the Convention.